UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/741,303	12/18/2003	Adam J. Weissman	53051/288073	4367

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PATENT DEPARTMENT - 53051
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EXAMINER
MYINT, DENNIS Y

ART UNIT	PAPER NUMBER
2162	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	10/741,303	WEISSMAN ET AL.
	Examiner	Art Unit	
	Dennis Myint	2162	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>19 February 2006</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

    a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

    b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

    Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

    (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ They raise the issue of new matter (see NOTE below);

    (c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: *See Continuation Sheet*. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: *1-46*.

    Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.

13. ☐ Other: _____.

JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

U.S. Patent and Trademark Office

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Continuation of 3. NOTE:

Amendments made to claims 1, 3-7, 12-15, 17-21, 26-28, 30, and 31 and newly added claims 35-46 require further consideration and/or search.

Particularly, addition of the limitations, "at least one" (Claim 1 Line 2), "defining a concept list comprising an original concept, a distance, and a relationship" (Claim 1 Lines 3), "defining a target scope" (Claim 1 Line 5), "at least one" (Claim 1 Lines 7 and 8), "scope" (Claim 1 Line 8), "at least one" (Claim 1 Line 9), "scope" (Claim 1 Line 9), "determining a target scope for each target scope of the article" (Claim 1 Line 11), "at least one" (Claim 1 Line 12), "the article to determine" (Claim 1 Line 12), "scope" (Claim 1 Line 13), and "outputting the at least one extract" (Claim 1 Line 14) to Claim 11, addition of the limitation "at least one" (Claim 3 Line 2) to Claim 3, addition of the limitation "score" (Claim 4 Line 2) to Claim 4, addition of the limitation "at least one" (Claim 5 Line 1) to Claim 5, addition of the limitation "at least one" (Claim 6 Line 1) to Claim 6, addition of the limitation "concept" in place of target definition (Claim 7 Line 1-2) to Claim 7, addition of the limitation "comprises" (Claim 8 Line 1) to Claim 8, addition of the limitation "scope comprises" (Claim 12 Line 1-2) to Claim 12, addition of the limitation "scope comprises" (Claim 13 Line 1-2) to claim 13, addition of the limitations "further comprising preprocessing the article, wherein preprocessing comprises: determining at least one concept associated with the article, and determining a gist of the article" (Claim 14 Lines 1-5) to Claim 14, addition of the limitations "at least one" (Claim 15 Line 3), "defining a concept list comprising an original concept, a distance and a relationship, and defining a target concept" (Claim 15 Lines 5-8), "at least one" (Claim 15 Line 9), "scope" (Claim 15 Line 10), "the at least one" (Claim 15 Line 12), "scope" (Claim 15 Line 12), "program code for determining a target score for each target scope of the article" (Claim 15 Line 14), "the at least one" (Claim 15 Line 15), "the article to determine" (Claim 15 Line 15), "score" (Claim 15 Line 16), and "program code for outputting the at least one extract" (Claim 15 Line 17) to Claim 15, addition of the limitation "at least one" (Claim 17 Line 2) to Claim 17, addition of the limitation "score"(Claim 18 Line 3) to Claim 18, addition of the limitation "at least one" (Claim 19 Line 1-2) to Claim 19, addition of the limitation "at least one" (Claim 20 Line 2) to Claim 20, addition of the limitation "concept" (Claim 21 Line 1) to Claim 21, addition of the limitation "comprises" (Claim 22 Line 2) to Claim 22, addition of the limitation "scope comprises" (Claim 26 Line 2) to Claim 26, addition of the limitation "scope comprises" (Claim 27 Line 2) to Claim 27, addition of the limitations "further comprising program code for preprocessing the article, wherein preprocessing comprises: determining at least one concept associated with the article, and determining a gist of the article" (Claim 28 Lines 1-5) to Claim 28, addition of the limitation "further comprises" (Claim 29 Line 1) to Claim 29, addition of the limitation "a relationship, a distance, and (Claim 30 Line 3-4) and "outputting the least one extract" (Claim 30 Line 13) to Claim 30, and deletion of the limitation "and outputting the extracts" (Claim 31 Line 3-4) further consideration and/or search.